

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:
*The County of Summit, Ohio, et al. v. Purdue
Pharma L.P., et al.*
Case No. 18-op-45090

MDL No. 2804

Hon. Dan Aaron Polster

**MOTION FOR LEAVE TO FILE MOTION
TO CERTIFY QUESTIONS OF LAW TO THE OHIO SUPREME COURT**

Defendants AmerisourceBergen Drug Corporation, Cardinal Health, Inc., and McKesson Corporation (collectively, “Distributors”) request leave to file a Motion to Certify Questions of Law to the Ohio Supreme Court, attached as Exhibit 1. Pursuant to CMO-1 § 6(g), Dkt. 232, the Court has placed a moratorium on filing motions that are not expressly authorized absent further Order of this Court. Distributors thus request leave to file the attached Motion.

The attached Motion seeks certification of questions of law raised in Distributors’ motion to dismiss the *Summit County* complaint, ruled on by Magistrate Judge Ruiz in the October 5, 2018 Report and Recommendation, and raised in Distributors’ Objections to that Report and Recommendation, filed contemporaneously herewith. Distributors must seek certification now, before this Court answers the questions at issue. *Antioch Co. Litig. Tr. v. Morgan*, 633 F. App’x 296, 304 (6th Cir. 2015).

Distributors therefore respectfully request that this Court grant Distributors’ leave to file the attached Motion.

Dated: November 2, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Ashley W. Hardin, hereby certify that the foregoing document and supporting papers were served via the Court's ECF system to all counsel of record.

/s/ Ashley W. Hardin
Ashley W. Hardin